

AFTER RECORDING RETURN TO:
Shapiro & Sutherland, LLC
5501 N.E. 109th Court, Suite N
Vancouver, WA 98662
10-104921

JOSEPHINE COUNTY OFFICIAL RECORDS
ART HARVEY, COUNTY CLERK **2010-009269**
MTG-DES
Cnt=1 Pgs=2 Stn=1 JEDWARDS 07/27/2010 12:43 PM
\$10.00 \$11.00 \$15.00 \$8.00 \$5.00 Total:\$49.00



00253913201000092690020028

I, Art Harvey, County Clerk, certify that the within document was received and duly recorded in the official records of Josephine County.

NOTICE OF DEFAULT AND ELECTION TO SELL

A default has occurred under the terms of a trust deed made by Kenneth L. Cook and Denise M. Cook, as grantor to Regional Trustee Services, as trustee, in favor of Beneficial Oregon Inc., as beneficiary, dated March 8, 2007, recorded March 12, 2007, in the mortgage records of Josephine County, Oregon, as Instrument No. 2007-004995, as covering the following described real property:

Beginning at the West quarter corner of Section 9, Township 37 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon; thence North 89°36'45" East 2664.34 feet to the center of said Section; thence North 0°51'20" East 334.25 feet to the point of beginning; thence South 89°36'45" West 1332.17 feet to the West line of the East half of the Northwest quarter of said Section; thence North 00°49'30" East 500.46 feet; thence North 89°36'45" East 1332.17 feet to the North-South centerline of said Section; thence South 00°51'20" West 500.46 feet along said centerline to the true point of beginning. EXCEPTING THEREFROM any portion lying within the boundaries of a parcel of land in the Northwest quarter of Section 9, Township 37 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon, described as follows: beginning at the center point of said Section 9 and running North 0°21' East along the North-South centerline of said Section, 334.25 feet to the point of beginning; thence North 0°21' East along the North-South centerline of said Section, 1002.75 feet to the South line of the North half of the Northwest quarter of said Section; thence along said South line of the North half of the Northwest quarter, South 89°37' West 572.20 feet to the approximate centerline of the public roadway; thence along said public roadway centerline, South 22°39' East 1095.35 feet; thence North 89°37' East 188.05 feet to the North-South centerline of said Section 9 to the true point of beginning.

COMMONLY KNOWN AS: 300 Newt Gulch Road, Wilderville, OR 97543

Kelly D. Sutherland, Successor Trustee, hereby certifies that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments in the sum of \$1,627.74, from December 13, 2009, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

By reason of said default, the beneficiary has declared all sums owing on the obligation that the trust deed secures immediately due and payable, said sums being the following, to-wit:

Exhibit B

(2)

\$206,552.57, together with interest thereon at the rate of 8.55% per annum from November 13, 2009, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 11:00 AM PT, in accordance with the standard time established by ORS 187.110 on December 2, 2010, at the following place: at the main entrance of the Josephine County Courthouse, located at 500 N.W. 6th Street, in the City of Grants Pass, County of Josephine, State of Oregon, which is the hour, date and place last set for said sale.

Notice is further given to any person named in ORS 86.753 that the right exists, at any time that is not later than five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by paying to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's fees and attorney fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and beneficiary" include their respective successors in interest, if any.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

Dated: 7-26-2010

By: [Signature]

KELLY D. SUTHERLAND
Successor Trustee

STATE OF WASHINGTON)

) SS.

COUNTY OF CLARK)

SUBSCRIBED AND SWORN to before me this 26th day of July, 2010,
by Kelly D. Sutherland, Successor Trustee.

[Signature]
Notary Public for Washington
My commission expires 07/26/12

